



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/114,231	06/30/1998	ILAN GABRIEL CARON	84505	8985

7590

10/03/2002

LEYDIG VOIT & MAYER LTD
TWO PRUDENTIAL PLAZA SUITE 4900
180 NORTH STETSON
CHICAGO, IL 606016780

EXAMINER

LAO, SUE X

ART UNIT PAPER NUMBER

2151

DATE MAILED: 10/03/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.
09/114,231

Applicant(s)

Caron

Examiner

S. Lao

Art Unit

2151



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on _____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-66 is/are pending in the application.
- 4a) Of the above, claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-66 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
*See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 8 6) ☐ Other:

DETAILED ACTION

1. Claims 1-66 are presented for examination.
2. Applicant recites references from MSDN describing prior art systems MSMQ and COM in the application as filed, page 15, lines 12-20. Copies of the same are requested by the examiner so that they can be fully considered.
3. Claims 13, 20, 21 31 and 46 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 13 and 46 recite "the message" in lines 3 and 4, respectively. There is insufficient antecedent basis for this limitation in the respective claim. For the purpose of art rejection, it is interpreted as "the self-descriptive object", as best understood and as it appears to be.

Claim 20 recites "wherein the type of data is a spreadsheet; and the second application is a spreadsheet application or the spreadsheet application is invoked to process the data". Claim 21 recites "wherein the type of data is a document; and the second application is a word processing application or the word processing application is invoked to process the data". It is not clear how the alternatives in each claim relate to one another. For the purpose of art rejection, the limitation "or" is interpreted as ", wherein", as best understood.

Claim 31 recites " self-descriptive message" in line 10-11. There is insufficient antecedent basis for this limitation in the claim. For the purpose of art rejection, it is interpreted as "self-descriptive object", as best understood and as it appears to be.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-13, 15-19, 22-51, 54-66 are rejected under 35 U.S.C. 102(b) as being anticipated by Priven et al (U S Pat. 5,327,559).

As to claim 1, Priven teaches in a method (remote processing) for sending a data element (attributes 312 including object 314) from a sending application (application 902, 1106) in the computer system to a recipient application (target/receiving object of a remote system, application 1116) in the computer system, the method comprising the steps of: the sending application requesting the computer system to deliver the data element (request representing remote user command) to the recipient application; the computer system adding the data element to an object (CIP object 302 including attributes, 902); the computer system encoding (flatten/format CIP object) the object containing the data element; the computer system unencoding (unflatten/unformat) the object; the computer system extracting (unflatten back to CIP) the data element from the object; and the recipient application receiving (import) the data element from the computer system. See col. 2, line 66 - col. 3, line 52; col. 5, lines 34-38; col. 6, line 45 - col. 7, line 10; col. 8, line 12 - col. 9, line 17; col. 10, lines 26-65; col. 13, line 58 - col. 14, line 20.

As to claim 2, Priven teaches separate computers connected via a network (remote processing, different systems, col. 8, lines 12-14).

As to claim 3, Priven teaches message queuing network (distributed system (fig.s 9, 10) with JES queue 1004 associated with each sending system, col. 9, line 65 - col. 10, line 15).

As to claims 4, 5, 9, Priven teaches requesting the object (formattable object 1518) to serialize itself (method flat() 1526), and requesting a new instantiation of the object (formattable object 1624) to load itself (methods unflat() 1630, method assign_data()). See col. 12, line 63 - col. 13, line 57, fig. 15; col. 13, line 58 - col. 14, line 19, fig. 16.

As to claim 6, Priven teaches the object includes a data structure () and a method () which performs an operation on the data structure. See col. , lines .

As to claim 7, Priven teaches the object is a dictionary object (data dictionary 726 of PDF file), see col. 8, lines 25-45.

As to claim 8, Priven teaches the object supports persistence (persistent object instance), see col. 5, lines 3-47.

As to claim 10, Priven teaches the data element includes a name (name, object ID), a type (type), and a value (value). See 404, 406, 408 of fig. 6 and denoting text.

As to claim 11, Priven teaches the type of data element includes a constant, an integer (short), a document (text), a spreadsheet, a database, an object (object), or a data structure (object) (col. 7, lines 23-25; col. 8, lines 25-45). It is noted that the alternative limitations are interpreted as requiring one of the alternatives.

As to claim 12, note discussions of claims 1 and 2. Priven further teaches transmitting (send PDF file), processing based on the type of data (create CIP object from PDF based on header information). See col. 10, lines 26-65. It is noted that the object (formattable object) is self-descriptive (includes meta-data which describes the object), see col. 12, lines 34-47.

As to claim 13, Priven teaches the first application requesting the first computer (1102) to send the message / self-descriptive object to the second computer (1104) or to the second application (application 1106 requests CIP object be sent to system 1104). See col 10, lines 26-43.

As to claims 15-19, these are the same as claims 6-8, 10 and 11, respectively. Note the rejections of claims 6-8, 10 and 11, respectively.

As to claim 22, note discussion of claim 3.

As to claim 23, note discussions of claims 1 and 12. Priven further teaches a first and a second message queuing servers (communication server 1108 and asynchronous communication server ACM 1110 on system 1102 and communication server 1114 and asynchronous communication server ACM 1112 on system 1104), and creating a message (PDF file) which includes the self-descriptive object (CIP object) in its payload (fig. 6, 7B, 8A, and denoting text) and passing the message via queue (JES queue 1004, discussion of claim 3).

As to claim 24, Priven teaches the second message queuing server passing the self-descriptive object to a second application (fig. 11; col. 13, line 58 - col. 14, line 20.).

As to claims 25-29, these are the same as claims 6, 7, 9, 10 and 8, respectively. Note rejections of claims 6, 7, 9, 10 and 8, respectively, for discussions.

As to claim 30, Priven teaches the first messaging computer (sender system 1102) serializes (call class method IPA to flatten an object) the self-descriptive object (CIP object). See col. 6, line 56 - col. 7, line 5.

As to claim 31, note discussion of claims 1, 4, 5, 12.

As to claim 32, note discussion of claim 6.

As to claim 33, note discussions of claims 12, 23, 4, 5, 7.

As to claim 34, note discussions of claims 12, 10 and 5, and note the equivalence of identifier/name, enumerating/unencoding.

As to claims 35 and 36, note rejection of claims 10 and 6, respectively, for discussions.

As to claims 37-44, these are program product claims of claims 1-3, 7-11, respectively. Note the rejections of claims 1-3, 7-11, respectively, for discussions.

As to claims 45-51, 54, these are program product claims of claims 12, 13, 15-19, 22, respectively. Note the rejections of claims 12, 13, 15-19, 22, respectively, for discussions.

As to claims 55-62, these are program product claims of claims 23-30, respectively. Note the rejections of claims 23-30, respectively for discussions.

As to claims 63-66, these are program product claims of claims 33-36, respectively. Note the rejections of claims 33-36, respectively, for discussions.

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was

made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Priven et al.

As to claim 14, Priven teaches the second computer (1104) passing the self-descriptive object (formattable object 1518/1624) to the second application (1116). See col 10, lines 26-43. Priven does not explicitly teach that such passing is by passing a pointer to. However, passing an object by value and by reference/pointer are well known alternatives to each other.

8. Claims 20, 21, 52, 53 are rejected under 35 U.S.C. 103(a) as being unpatentable over Priven et al as applied to claims 12, 45 and in view of Bibayan (U S Pat. 5, 922,054).

As to claims 20, 21, while Priven teaches transferring data of various types, Priven does not teach these types include spreadsheet and document, nor invoking spreadsheet/ word processing applications to process the data.

Bibayan teaches transferring data of various types, including spreadsheet (spreadsheet data created by a spreadsheet application/program) and document (text data created by a word processing application/program), and invoking spreadsheet/ word processing applications (launch external application) to process the data based on the data type (launch external application). See col. 1, lines 15-30; col. 5, lines 18-32; col. 6, lines 8-17. Given the teaching of Bibayan, it would have been obvious to include types of spreadsheet and document and invoking corresponding spreadsheet/word processing applications. The motivations to combine the teachings of Priven and Bibayan includes the following. Priven desires the data receiving system to be able to interpret the received data and perform appropriate actions accordingly (col. 2, lines 53-57), but does not provide a mechanism to do so. Bibayan on the other hand teaches such a mechanism (application manager). Therefore, one of ordinary skill in the art would have been motivated to use the teaching of Bibayan in Priven to interpret the received data and perform appropriate actions.

As to claims 55-62, these are program product claims of claims 20, 21, respectively. Note the rejections of claims 20 and 21, respectively, for discussions.

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. In particular, Microsoft (Class Library Reference for the Microsoft Foundation Class Library, page 579) teaches calling an object's (instance of CObject or a descendent) member functions to serialize and to unserialize the object itself (CObject::Serialize to write or read from or to an archive). Group on Google.com discloses embedding dictionary object in a MSMQ message body, however, the date is after the filing date of the present application.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The examiner's supervisor, SPE Alvin Oberley, can be reached on (703) 305 9716. The examiner can normally be reached on Monday - Friday, from 9AM to 5PM. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7238 for After Final communications, (703) 746-7239 for Official communications and (703) 746-7240 for Non-Official/Draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-9600.

Sue Lao 

September 27, 2002